

To: Boomgaard, Craig[Boomgaard.Craig@epa.gov]; Minter, Douglas[Minter.Douglas@epa.gov]
From: Chin, Lucita
Sent: Mon 7/22/2013 8:17:22 PM
Subject: FW: MOA

An emergency is an emergency. The point is that we can't promise to notify them. In an emergency situation, I could foresee us not being able to notify, or not having time to notify, or whatever the reason. Can we "endeavor" to notify them as soon as possible or as soon as is practicable? This could be afterward, I would think.

I don't understand Kevin's highlighted sentence below. If it is impossible to give advance notification, how could we notify them before we inspect?

Lucita Chin

Associate Regional Counsel

U.S. EPA Region 8

1595 Wynkoop St.

Denver, CO 80202

303.312.7832

From: Connors, Kevin C. [mailto:kcconnors@nd.gov]
Sent: Monday, July 22, 2013 2:11 PM
To: Minter, Douglas
Cc: Chin, Lucita; Boomgaard, Craig
Subject: RE: MOA

I thought the changes made to the "Inspection and Surveillance" section were reasonable and well thought out. North Dakota needs some sort of notification prior to EPA inspection, if an emergency exists and for some reason it is impossible to give advance notification, we need to be notified before EPA inspects a facility. I have attempted to come up with language that is acceptable for both parties and it appears as if EPA is looking for different/specific language. I would encourage Lucita to provide

language that works for her and I will take a look at it. North Dakota needs at a minimum 12 hours notification if an emergency exists and 7 days advanced notification is impossible. Although I would think that if an emergency exists EPA would want to notify us immediately, but that language was unacceptable.

Hope we can find common ground on this one.

Thanks

Kevin C. Connors

CCS Supervisor

Oil and Gas Division

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From: Minter, Douglas [<mailto:Minter.Douglas@epa.gov>]

Sent: Monday, July 22, 2013 2:50 PM

To: Connors, Kevin C.

Cc: Chin, Lucita; Boomgaard, Craig

Subject: FW: MOA

Kevin: see Lucita's comment (second to last page) and confirm that you will be able to incorporate this please. I will also be checking in with Craig by cell phone to ensure there are no other outstanding revisions for EPA. I will then get back in touch with you.

Thanks,

Douglas K. Minter

Acting Chief

UIC Unit

USEPA Region 8

(303) 312-6079

From: Chin, Lucita
Sent: Monday, July 22, 2013 1:42 PM
To: Minter, Douglas
Subject: RE: MOA

Hi Douglas - just one thing on the last page – please see my comment.

Lucita Chin

Associate Regional Counsel

U.S. EPA Region 8

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303.312.7832

From: Minter, Douglas
Sent: Monday, July 22, 2013 1:39 PM
To: Connors, Kevin C.
Cc: Chin, Lucita
Subject: RE: MOA

Greeting Kevin.

I have asked Lucita to review this document ASAP. Craig will be back in the office on Friday. Hopefully, we can respond before then, but I want make sure that our response is definitive so we all can be confident that this version is acceptable to all parties.

Thanks for your patience.

Douglas K. Minter

Acting Chief

UIC Unit

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From: Connors, Kevin C. [<mailto:kcconnors@nd.gov>]
Sent: Monday, July 22, 2013 1:19 PM
To: Minter, Douglas
Cc: Chin, Lucita
Subject: MOA

Douglas and Lucita,

I just received an automatic reply from Craig Boomgaard. I was hoping to finalize this MOA with Region 8 as soon as possible. I made changes to the MOA by incorporating EPA comments sent to me on 7/10/13. I am hoping to get this document final and signed by Lynn Helms by the end of the week. So I can once again mail the hard copy to you for the Regional Administrator's signature and replace the unsigned version in the Class VI primacy application.

Thanks

Kevin C. Connors

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